

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TOPDOWN LICENSING LLC,
Plaintiff,
v.
GUILLEMOT INC.,
Defendant.

Case No. 20-cv-09481-JST

SCHEDULING ORDER

The Court hereby sets the following case deadlines pursuant to Federal Rule of Civil Procedure 16 and Civil Local Rule 16-10:

Event	Deadline
Deadline to add parties or amend the pleadings ¹	December 7, 2021
Claim construction discovery cut-off	March 3, 2022
Claim construction opening brief	March 18, 2022
Claim construction responsive brief	April 1, 2022
Claim construction reply brief	April 8, 2022
Tutorial	May 9, 2022 at 2:00 p.m.
Claim construction hearing	May 23, 2022 at 2:00 p.m.

Counsel may not modify these dates without leave of court. The parties shall comply with

¹ After this deadline, a party may still seek amendment, but must demonstrate good cause. Fed. R. Civ. P. 16(b)(4).

the Court's standing orders, which are available at <https://cand.uscourts.gov/judges/tigar-jon-s-jst/>.

The parties shall meet and confer regarding the format, scope, and content of both the tutorial and the claim construction hearing, including but not limited to the permissible subjects of discussion at each, whether experts will testify, and what audio-visual equipment, if any, will be needed by the parties. They also shall exchange copies of any audio-visual material at least **ten court days** before they intend to use it in court, and shall bring any disputes regarding the format, scope, or content of any tutorial or hearing to the Court's attention at least **five court days** before the tutorial or hearing. The Court will deem as waived any objection raised less than five court days before the tutorial or hearing. The parties shall lodge hard copies of their presentation materials with the Court on the day of the tutorial or claim construction hearing.


The Court will reserve no more than 90 minutes on its calendar for the tutorial, including a brief recess. The tutorial will not be reported by a court reporter.

At claim construction, the Court will construe only the terms the parties identify in their Joint Claim Construction and Prehearing Statement as "most significant to the resolution of the case up to a maximum of 10." Patent Local Rule 4-3(c). The Court will reserve no more than on two hours its calendar for the claim construction hearing, including a brief recess. The Court prefers that the parties proceed term-by-term, with each party providing its views on each term before moving on to the next. The Court's use of time limits means that the parties may not have the opportunity to present oral argument on every term they have submitted for construction, and the parties should prioritize their presentations accordingly.

The parties must take all necessary steps to conduct discovery, compel discovery, hire counsel, retain experts, and manage their calendars so that they can complete discovery in a timely manner and appear on the noticed and scheduled dates. All counsel must arrange their calendars to accommodate these dates, or arrange to substitute or associate in counsel who can.

IT IS SO ORDERED.

Dated: October 5, 2021


JON S. TIGAR
United States District Judge